

Amendments to House Bill No. 240
2nd Reading Copy

Requested by Representative Kelly Flynn

For the House Taxation Committee

Prepared by Sonja Nowakowski
March 22, 2011 (2:14pm)

1. Page 6, line 5 through line 20.

Strike: section 6 in its entirety

Insert: "NEW SECTION. **Section 6. Taxation of property acquired for electric transmission line.** (1) If a transmission line that requires a certificate of compliance under the Montana Major Facility Siting Act pursuant to Title 75, chapter 20, is sited on privately held, deeded real property that is acquired through a voluntary agreement with the property owner, the centrally assessed value for that portion of the privately held, deeded real property is subject to a tax rate of either 1 percentage point less than the rate for class fourteen property, as provided in 15-6-157, for renewable energy projects, or 1 percentage point less than the tax rate for class nine property, as provided in 15-6-141, for other transmission projects, as determined by the department of environmental quality pursuant to 15-6-157(2)(a).

(2) If a transmission line that requires a certificate of compliance under the Montana Major Facility Siting Act is sited on privately held, deeded real property that is acquired by a civil action pursuant to 70-30-202, that property is subject to a tax rate that is 1 percentage point higher than the tax rate for class nine property, as provided in 15-6-141.

(3) If an entity reaches voluntary property agreements with 97% of the landowners owning property acquired for the transmission line, the entity is entitled to the lowest property tax rate for transmission projects provided by law.

(4) If as a result of eminent domain proceedings in accordance with Title 70, chapter 30, the court awards an amount equal to or less than the final written offer presented by the condemnor, the condemnor is entitled to the lowest tax rate available for that section of the line."

- END -